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mJ

RQ-179

September 17, 1991

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Opinion Committee

Ms. Madeliene Johnson
Chair, Opinion Comm.
Office of the Attorney General
Supreme Court Bldg., 5th Floor
Austin, Texas

Dear Ms. Johnson:

As Chairman of the Senate Jurisprudence Committee, I would like to request an Attorney General's Opinion regarding remuneration to supreme court justices. Currently, there is a supreme court justice who is serving in two governmental capacities - both as a supreme court justice and as a presiding judge of an administrative judicial region. Both positions entitle the officeholder to receive governmental remuneration for the position. Under Article 16, Section 40 of the Texas Constitution, a person is prohibited from holding more than one office unless otherwise provided.

In light of the foregoing, please issue an opinion regarding the following issues:

1. Whether or not a supreme court justice may receive any other governmental compensation besides his salary as supreme court justice?
2. Whether or not Art. 16, Sec. 40 of the Texas Constitution prohibits a supreme court justice from holding more than one governmental office while serving as supreme court justice?

Your attention to this matter is greatly appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gene Green".

Gene Green